STATE OF NEW YORK COUNTY OF MONROE
CITY COURT CITY OF ROCHESTER

THE PEOPLE OF THE STATE OF NEW YORK, Plaintiffs, -against- NIKKI G. CRAFT, KATHLEEN F. REILLY, DEBORAH A. SEYMOUR, ELISE JO TOOLEY, LYNN E. ZICARI, Defendants.	NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the annexed affidavit of David R. Moss, Esq., sworn to July 8, 1986, and upon the informations filed against the above-named defendants in this Court on the 23d day of June, 1986, and upon the arraignments had herein, the undersigned will move this Court, at a Criminal Term thereof, at the Rochester City Court, Public Safety Building, on the 8th day of July, 1986, at 9:30 A.M., or as soon thereafter as counsel may be heard, for the following orders and additional relief:

A. An order pursuant to section 170.30(1)(a) of the Criminal Procedure Law dismissing the informations herein upon the ground that the informations are defective within the meaning of section 170.35 of the Criminal Procedure Law. Specifically, the statute defining the offense charged is unconstitutional in that:

(1) it violates the equal protection clause of the New York

State Constitution, Article I, Section 11;

(2) it violates the equal protection clause of the fourteenth amendment to the United States Constitution;

(3) it is vague and overbroad in violation of the due process and free speech guarantees of the New York State Constitution, Article I, Sections 6 and 8;

(4) it is vague and overbroad in violation of the first and fourteenth amendments to the United States Constitution;

(5) it violates defendants' right to freedom of speech and freedom of expression under the New York State Constitution, Article I, Section 8;

(6) it violates defendants' right to freedom of speech and freedom of expression under the first and fourteenth amendments to the United States Constitution;

(7) it violates defendants' fundamental rights under the ninth amendment to the United States Constitution.

B. An order pursuant to section 200.95 of the Criminal Procedure Law requiring the People to serve a bill of particulars upon the attorney for the defendants.

C. An order pursuant to People v. Sandoval, 34 N.Y.2d 371, prohibiting or limiting the People from questioning the defendants regarding the prior commission of specific criminal,

vicious or immoral acts which the People may or would use against the defendants should they choose to testify on their own behalfs at trial.

D. An order pursuant to Brady v. Maryland, 373 U.S. 83, requiring the People to deliver all evidence favorable to the defendants to the attorney for the defendants.

E. An order permitting renewal of all motions.

F. A hearing and taking of testimony relative to the aforementioned matters when said hearing would be appropriate to protect the rights and interests of all parties hereto.

G. Such other and further relief as this Court may deem just and proper.

Dated: Rochester, New York, July 8, 1986.

Yours, etc.,

David R. Moss, Esq.
Attorney for Defendants
426 Powers Building
Rochester, NY 14614
(716) 454-5419

To: Hon. Howard R. Relin
District Attorney, Monroe County